

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF MASSACHUSETTS**

JANEL RUSSELL DESIGNS, INC.,)
)
 Plaintiff,)
v.) Civil Action No. 04-10821-RGS
)
BARMAKIAN METRO, INC.,)
)
 Defendant.)

STIPULATION OF DISMISSAL

The parties hereby stipulate, by their attorneys and pursuant to Fed.R.Civ.P. 41 (a)(1)(ii), that the entire action be dismissed with prejudice, without costs, and with all rights of appeal waived.

PLAINTIFF

By its attorney,

/s/

Mark Pogue (BBO #550807)
EDWARDS & ANGELL, LLP
2800 Financial Plaza
Providence, RI 02903
(401) 274-9200

DEFENDANT

By its attorney,

/s/

Michael J. Grace (BBO #205875)
Richard M. Gilbert (BBO #552823)
ADLER POLLOCK & SHEEHAN PC
175 Federal Street
Boston, MA 02110
(617) 482-0600